

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-3703-2025 (O&M)
Date of decision: 12.11.2025

Meena Devi

...Appellant

Versus

Vaibhav Pratap Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Mohit, Advocate and
Mr. Rahul Deswal, Advocate for the appellant.

DEEPAK GUPTA, J. (ORAL)

This appeal has been preferred by the claimant–Meena Devi seeking enhancement of compensation awarded by the Motor Accident Claims Tribunal, Karnal, vide award dated 03.02.2025. The grievance of the appellant is that the compensation of ₹15,71,200/- assessed by the Tribunal is inadequate keeping in view the nature of injuries suffered by her.

2. The accident in question took place on 05.01.2021 due to rash and negligent driving of car No. HR-12-T-0828, resulting in multiple grievous injuries to the appellant. She was then 26 years of age and a student of ITI. She remained under treatment at Kalpana Chawla Government Medical College & Hospital, Karnal, where she underwent surgery and fixation with rods/plates.

3. The medical record established the following injuries:

- Fracture of right proximal tibia
- Fracture of right femur
- Fracture of right patella
- Fracture of both clavicles

4. Surgical procedures for fixation of plate in right tibia, nailing of right femur and clavicle were carried out. She remained admitted from 05.01.2021 to 14.01.2021. Her permanent disability was assessed at 18%, confined to the right lower limb. Relying upon the guidelines laid down by the Hon’ble Supreme Court in **Raj Kumar v. Ajay Kumar and others, (2011) 2 RCR (Civil) 101**, the Tribunal assessed the functional disability at 25%, considering that the injuries would adversely affect her future earning capacity, though she was not employed at the time of accident.

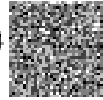
5. To compute loss of earning capacity, the Tribunal adopted the following methodology:

- Notional income assessed at ₹18,000/- per month (slightly above DC rates considering qualifications and reasonable prospects).
- Addition of 40% towards future prospects in terms of **National Insurance Co. Ltd. v. Pranay Sethi, (2017) 16 SCC 680**.
- Multiplier of 17, corresponding to age 26 as per **Sarla Verma v. DTC, (2009) 6 SCC 121**.
- Functional disability taken as 25%.

On this basis, the Tribunal awarded ₹12,85,200/- towards loss of future earnings.

6. Under other conventional and special heads, the following amounts were granted:

- Loss of income during treatment : ₹6,000/-
- Future medical expenses : ₹1,00,000/-
- Special diet & transportation : ₹20,000/-
- Pain and suffering : ₹25,000/-
- Loss of amenities : ₹25,000/-
- Loss of marriage prospects : ₹1,00,000/-
- Loss of expectancy of life : ₹10,000/-



This cumulatively amounted to ₹15,71,200/-.

7. In the present appeal, learned counsel for the appellant has been heard at length. The record of the Tribunal has been examined with due care.

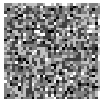
8. It is evident that the Tribunal has undertaken a detailed and systematic analysis while evaluating the injuries, disability and impact on future earning capacity. The functional disability at 25% has been arrived at in accordance with the principles laid down in ***Raj Kumar (supra)***, wherein the Supreme Court emphasized that medical disability is not conclusive and the real test is the impact of disability on earning potential.

9. The notional income of ₹18,000/- per month is not arbitrary; rather, it reflects a realistic assessment of the earning prospects of an ITI-trained young woman with reasonable career opportunities. The addition of 40% towards future prospects and the application of multiplier 17 strictly adhere to the binding precedents of ***Pranay Sethi*** and ***Sarla Verma***.

10. It is further noticed that the Tribunal has awarded separate and adequate amounts under the non-pecuniary heads, including future medical expenses and loss of marriage prospects, which are often either overlooked or modestly awarded in comparable cases. Considering the nature of injuries and period of hospitalization, the amount awarded for pain, suffering and amenities of life is also reasonable.

11. Viewed holistically, the compensation awarded is neither low nor arbitrary. Rather, it appears to be just, fair and logical, based on settled principles of motor accident compensation law. No material has been brought on record by the appellant to show that the Tribunal ignored any legitimate claim or omitted any relevant head of compensation.

12. In the considered view of this Court, the compensation assessed by the Tribunal is fair, reasonable and commensurate with the injur-



ies suffered by the appellant. No ground is made out for further enhance-
ment.

13. Therefore, the appeal being without merit is accordingly dis-
missed.

12.11.2025

Yogesh

**(DEEPAK GUPTA)
JUDGE**

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No